

**AUCTIONEER BOARD MEETING
TELECONFERENCE MINUTES
OCTOBER 20, 2009**

PRESENT: Timothy Sweeney, Jay Clarke, Alan Hager and Patrick McNamara

EXCUSED: Kathryn Daley

STAFF PRESENT: Tom Ryan, Bureau Director; Ruby Jefferson-Moore, Legal Counsel;
Michelle Solem, Bureau Assistant

CALL TO ORDER

Patrick McNamara, Chair, called the meeting to order at 9:22 a.m. A quorum of 4 members was present.

AGENDA

Amendments to Agenda:

- Correct Item G under case closing 07 AUC 008.

MOTION: Jay Clarke moved, seconded by Alan Hager, to approve the Agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF JULY 21, 2009

MOTION: Jay Clarke moved, seconded by Alan Hager, to approve the Minutes of July 21, 2009 as published. Motion carried unanimously.

**ADMINISTRATIVE REPORT
TOM RYAN, BUREAU DIRECTOR**

Practice Questions

The Department is asking the Auctioneers to submit frequently asked questions and practice questions relating to the auctioneers to Tom Ryan (Tom.Ryan@wisconsin.gov) and Ben Hanes (Ben.hanes@wisconsin.gov).

Board Chair and Vice Chair Leadership Reception and Training

Board Chairs and Vice-Chairs are invited and encouraged to attend the new board chair reception and training on December 3 & 4 in Madison. Please hold the date.

2010 Board Meeting Dates

The meeting dates for 2010 are listed in the agenda. Teleconferences are an option.

MOTION: Timothy Sweeny moved, seconded by Jay Clarke, to approve proposed Board meeting dates for 2010. Motion carried unanimously.

Other

Ms. Jefferson-Moore announced her retirement will be effective November 20, 2009. The Board thanked Ms. Jefferson-Moore for her service to the Board and commended her on her professionalism.

ELECTION OF OFFICERS AND BOARD APPOINTMENTS FOR 2010

NOMINATION: Jay Clarke nominated Patrick McNamara as Board Chair. The chair called for additional nomination three times. Patrick McNamara was elected chairperson for 2010 by unanimous vote.

NOMINATION: Jay Clarke nominated Timothy Sweeney as Board Vice-Chair. The chair called for additional nomination three times. Timothy Sweeney was elected by Vice-Chair for 2010 by unanimous vote.

NOMINATION: Jay Clarke nominated Kathryn Daley as Secretary. The chair called for additional nomination three times. Kathryn Daley was elected Secretary for 2010 by unanimous vote.

2010 ELECTION RESULTS	
Board Chair	Patrick McNamara
Vice Chair	Timothy Sweeney
Secretary	Kathryn Daley

BOARD ASSIGNMENTS

Screening Committee: Timothy Sweeney/Kathryn Daley
 Continuing Education Liaison: Timothy Sweeney
 Travel Liaison: Patrick McNamara
 Legislation Liaison: Patrick McNamara
 Enforcement Monitor Liaison: Timothy Sweeney
 Practice Question Liaison: Kathryn Daley

**PRESENTATION OF PROPOSED STIPULATIONS BY THE DIVISION OF
ENFORCEMENT OR ANY SUBMITTED AFTER PRINTING OF THE AGENDA**

None.

LEGISLATION AND ADMINISTRATIVE RULES

**Update on LRB 07-2430 Relating to Continuing Education Requirements for Auction
Company Representatives**

Jay Clarke reported that LRB 2126-1 covers the continuing education requirements for Auction Companies

**LRB 3126-1, Relating to Continuing Education Requirements for Auction Companies –
Board Review**

MOTION: Jay Clarke moved, seconded by Timothy Sweeney, to go on record in support of LRB 3126-1. Motion carried unanimously.

Patrick McNamara will approach the Auctioneer Association about its interest in the legislation. He also asked the Board members to consider discussing this item with their local legislators.

EDUCATION AND EXAMINATIONS

**Review of Scope Statement Relating to Status of Continuing Education Credit for USPAP
Courses for Auctioneers**

MOTION: Alan Hager moved, seconded by Timothy Sweeney, to adopt the scope statement as published in the agenda of the October 20, 2009, Auctioneer Board Meeting. Motion carried unanimously.

RECIPROCITY WITH INDIANA – DISCUSSION

Ms. Jefferson-Moore indicated that she has been told that Indiana is exploring the possibility of reciprocity with Wisconsin. Indiana requires 80 hours of education while Wisconsin does not require any. Indiana currently has reciprocity with Illinois. Ms. Jefferson-Moore is going to check the Illinois requirements.

TRAVEL

None.

PRACTICE ISSUES

None.

PUBLIC COMMENTS

None.

CONVENE TO CLOSED SESSION

MOTION: Patrick McNamara moved, seconded by Jay Clarke to convene the meeting in Closed Session pursuant to Sections 19.85(1)(a), (b), and (f), Wis. Stats., to consider the licensing or discipline of a person licensed by the Department or the investigation of charges against such a person. Specifically, the Board intends to deliberate on stipulations, administrative warnings, case closings, and monitoring cases. Roll Call Vote: Timothy Sweeney-yes; Alan Hager-yes; Patrick McNamara-yes; Jay Clarke-yes. Motion carried unanimously.

Open Session recessed at 10:08 a.m.

RECONVENE TO OPEN SESSION

MOTION: Jay Clarke moved, seconded by Timothy Sweeney, to reconvene into Open Session. Motion carried unanimously.

Open Session reconvened at 10:26 a.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

ORDERS FIXING COSTS

CARL SEITZ
LS 0812292AUC

MOTION: Timothy Sweeney moved, seconded by Jay Clarke, to modify the order fixing costs to accept a deposit of \$1200 costs by November 19, 2009 with the balance due of \$3,084.74 within one year of November 19, 2009, in the matter of Carl Seitz, LS 0812292AUC . Motion carried. Patrick McNamara abstained.

CASE CLOSINGS

07 AUC 008

MOTION: Alan Hagar moved, seconded by Jay Clarke, to close case **07 AUC 008** for prosecutorial discretion (P5). Motion carried unanimously.

07 AUC 002

MOTION: Jay Clarke moved, seconded by Alan Hagar, to close case **07 AUC 002** for insufficient evidence. Motion carried unanimously.

PROPOSED ADMINISTRATIVE WARNINGS

07 AUC 008

MOTION: Jay Clarke moved, seconded by Alan Hagar, to issue an administrative warning in case **07 AUC 008**. Motion carried unanimously.

MOTION: Alan Hagar moved, seconded by Jay Clarke, to authorize Tom Ryan to sign the order fixing costs in that matter of Carl Seitz on behalf of Timothy Sweeney and the Administrative Warning in the matter of 07 AUC 008 on behalf of Patrick McNamara. Motion carried unanimously.

ADJOURNMENT

MOTION: Timothy Sweeney moved, seconded by Alan Hagar, to adjourn. Motion carried unanimously.

The meeting adjourned at 10:35 a.m.